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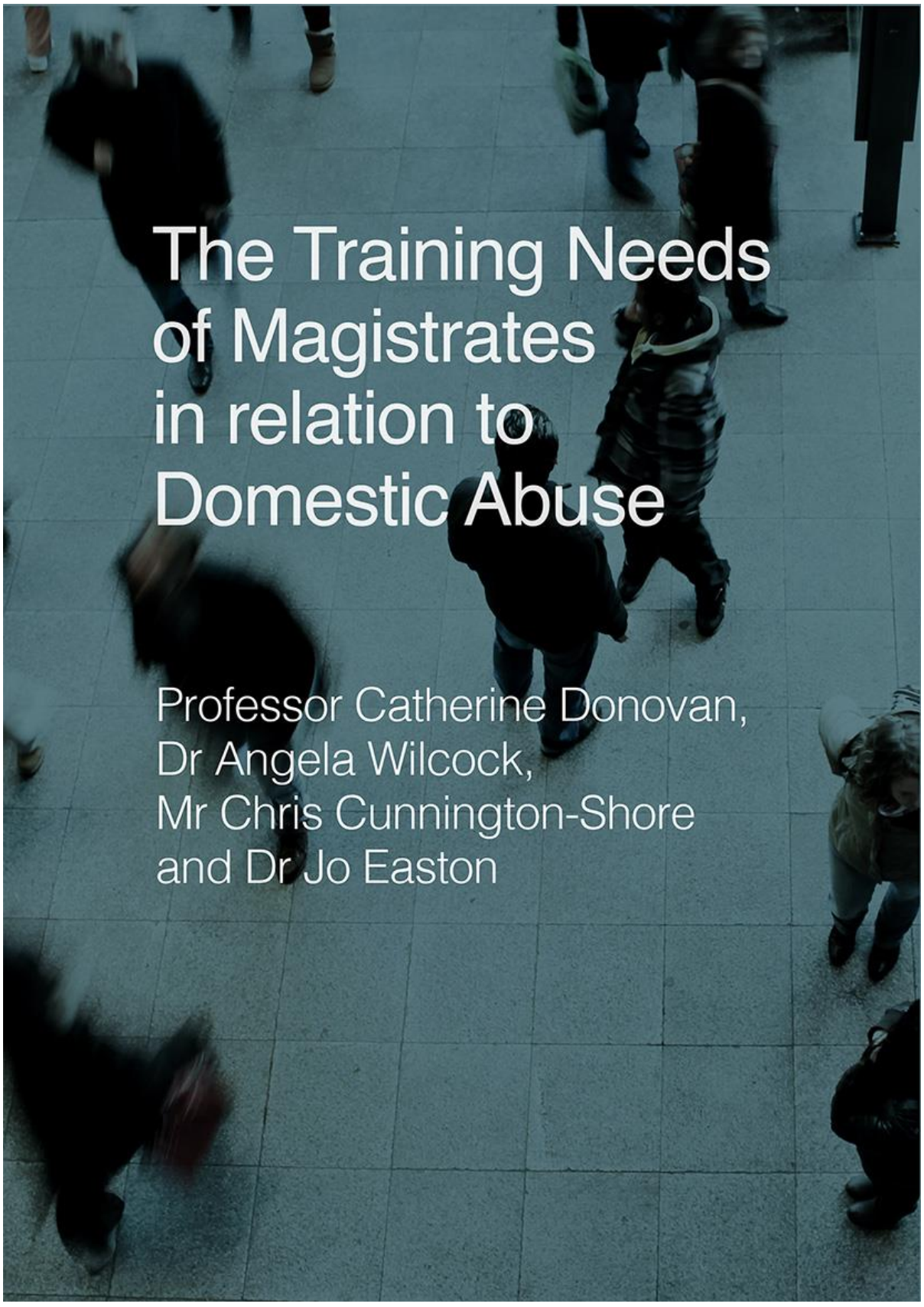

The Training Needs of Magistrates in relation to Domestic Abuse

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Introduction

Domestic violence and abuse (DA) is a pernicious social problem. DA is one of the most common crimes in England and Wales (Hague & Malos 2005): in 2017, 46% of recorded incidents of DA that were reported to the police were categorised as DA crimes; and 32% of these were categorised as violent crimes (Baird et al. 2018). DA is widespread throughout England and Wales and predominantly experienced by women who are more likely to face repeated episodes of violence than victims of any other crime type (Bowen et al. 2014, ONS 2017). However, the data collected in the Crime Survey for England and Wales (CSEW) does not give any information about the gender or sexuality of the perpetrator of the violence and abuse.

This kind of data can act to reinforce the public story of DA (Donovan & Hester 2010, 2014): that DA is primarily a problem of heterosexual men perpetrated on heterosexual women, that it is a problem primarily of physical violence and that it is a problem of a particular presentation of gender: the big 'strong' heterosexual man being physically violent towards the small 'weak' heterosexual woman. This leads to other gendered assumptions being made; for example, that men cannot be victimised and that women cannot be perpetrators, that violence between women or between men will not be as risky or harmful as that when a man is being violent towards a woman. When violence occurs between women it can be minimised and/or denied because women cannot hurt each other – a 'cat fight' - or conversely that it must be an equal fight. Similarly, when violence occurs between two men it can be thought that men are accustomed to being aggressive so they can look after themselves, and that this too might be a 'fair fight'. When trans partners are involved, more confused thinking can take place about how gender is understood – or not understood – to operate between trans and cisgender partners as well as between trans partners.

However, the evidence demonstrates that DA is also experienced by heterosexual men and does occur in the relationships of lesbians, gay male, bisexual and/or trans (LGB and/or T) people (Donovan & Hester 2006, 2014). A recent analysis of the CSEW data on women (ONS 2018) showed that rates of partner abuse reported by bisexual women are nearly double that of heterosexual women (10.9% against 6%) and that the reported rate amongst lesbian/ gay women are also higher (8%). The relative rates of sexual violence are even more concerning for bisexual women where the reporting rate is ten times that of heterosexual women (1.9% and 0.4% respectively) and at 0.5% the rate of sexual violence reported by lesbian/gay women is also higher than for heterosexual women.

Experiences of DA appear to be quite similar regardless of the gender identity or sexuality of victims, with victim/survivors reporting a range of physical, sexual, financial and emotional violence and abuse (Barnes & Donovan 2018). The biggest differences are found in the help-

seeking practices. Whilst heterosexual women will seek help from their family and then the police as their preferred sources of support, LGB and/or T people are most likely to seek help from their friends and then from counsellors/therapists as their preferred sources of support (Donovan & Hester 2014, Donovan et al. 2014). This is likely to mean that it would be far less common for cases involving LGB and/or T people to come before a magistrate's court.

In recent years, feminist activism, scholarship and allies in government have transformed DA from being seen as a private problem –'just a domestic'- to being seen as a serious social problem that requires concerted effort to address it (Donovan & Hester 2010). The *Domestic Violence, Crime and Victims Act 2004* provided a new, gender-neutral, definition of DA that reflected new learning about its features: that it included not only physical but also emotional, financial and sexual violence and abuse; that it could occur in both intimate and family relationships; that perpetrators could be intimate ex/partners and family members; that ex/intimate partners might be cohabiting or not and that DA could take place in relationships regardless of the gender or sexuality of the intimate partners. The Act also criminalised breaches of non-molestation and occupation orders and the range of people who could apply for non-molestation orders was also expanded to include non-cohabiting partners and those in same sex relationships.

Starting with the New Labour years of government (1997-2010) and continuing with successive governments, the landscape of provision for DA has fundamentally changed (see Strickland 2012 for an overview of the New Labour changes). Alongside the 2004 Act, a new set of interacting interventions were set up. Having been piloted in 1999, a tripartite system including Independent Domestic Violence Advocates (IDVAs), Specialist Domestic Violence Courts (SDVCs) and Multi-Agency Risk Assessment Conferences (MARACs) were rolled out nationally in 2005-6. Each were intended to act in collaboration with each other in order to make perpetrators accountable for their behaviours as well as to ensure that victim/survivors and their children were safe and able to move on from the abusive relationship. The Home Office (2011, 2016) strategies for combatting violence against women and girls have placed great emphasis on making perpetrators accountable.

The definition of DA adopted by the Home Office changed again in 2013 (Home Office 2013) as a result of a public consultation and the work of Stark (2007) on coercive control. The new definition lowered the age at which it is believed DA can occur from 18 years to 16 years of age and it expanded the definition to recognise that DA not only involves incidents of physical, emotional, financial or sexual violence but patterns of behaviours. Coercive control, which is understood to involve a range of behaviours that undermine the confidence of a victim/survivor and lead them to feeling entrapped in a relationship was included in the definition. In 2015, for the first time in England and Wales the *Serious Crime Act 2015* created a DA specific offence of coercive and controlling behaviour. An early freedom of information request (in Baird et al. 2018) showed that there were 3937 arrests in the first 18 months and 666 (nearly 17%) individuals charged for offences of coercive and controlling behaviour. Some early commentary has shown some scepticism about whether this crime is a useful one in addressing DA, and its enactment has highlighted the need for

focused training for personnel in the criminal justice system in how to recognise, evidence and build cases based on coercive and controlling behaviour (e.g. Walklate et al. 2018).

Specialist Domestic Violence Courts

The move to introduce SDVCs in 1999 highlighted the importance of magistrates and the magistrate courts in addressing DA (Bowen et al. 2014; Cook, et al. 2004). Early evaluations of the pilot courts evidenced that having SDVCs that are staffed by specially trained magistrates and court officers, and who are able to provide special measures to protect victim/survivors are able to more quickly process cases of DA than existing magistrate court systems and that this results in better outcomes for victim/survivors (e.g. Bowen et al. 2014, Cook, et al. 2004).

Following the success of the pilot courts the SDVC programme was rolled out nationally in England and Wales in 2005/06. It aimed to deliver a more effective approach in identifying and prosecuting cases of domestic violence (Home Office 2011). The SDVCs were set up in existing magistrates courts that received accreditation to provide specialisation, by dedicating a day/time for cases to be heard either by cluster or fast-tracking cases, providing greater support and protection for victim/survivors and appropriate sentences for perpetrators (Cook et al. 2004). Previous international research has found that specialisation by the criminal courts offers a better understanding than ordinary courts of the complexity of domestic violence such as how it is repeated and escalates over time (Keilitz et al. 2001). To be successful, this process does require specially trained magistrates, police officers, prosecutors and other Crown Prosecution Service (CPS) staff working within the SDVC process.

Early evaluations also highlighted ongoing weaknesses in the court system. For example, it was noted that there was a lack of integrated working between the civil and criminal courts, as well as problems of information sharing (Hester et al. 2008). It was also found that victim/survivors felt let down by lenient sentencing, more so where only fines were imposed (Cook et al. 2004). Training was made available in 2003 for all magistrates when SDVCs were being rolled out; and later, a Judicial Studies Board (JSB) training package: "Domestic Violence – An Ordinary Crime?" was launched, again to all magistrates, to provide them with the knowledge they need to evaluate the evidence and sentence appropriately (Home Office, 2011). However, while it was distributed to all Magistrates' Courts Committees there was only an invitation for delegates to attend the training, it was not mandatory.[1]

Overarching Principles: Domestic Violence (Sentencing Council 2018) provides detailed guidance for magistrates on sentencing for all cases involving DA. The guidelines set out the criminalised behaviours associated with domestic abuse and present both aggravating and mitigating factors for magistrates to assess seriousness. Guidelines are provided to assist all sentencers, but the final sentencing decision remains with the bench in response to the individual circumstances of a case. There has been very little research on how sentencing decisions are made by magistrates and much of it is dated (e.g. Cretney & Davis 1997,

[1] Additional training packages have been rolled out since this time.

Gilchrist & Blisset 2002). However, such research has pointed to the need for magistrates dealing with such cases to have the knowledge and understanding of the dynamics around domestic abuse/violence in order to sentence effectively and appropriately. Training and attendance at training that is specifically about domestic violence, including the new law on coercive and controlling behaviour, is therefore very important.

In 2013 there were 138 locations where either SDVCs or fast-tracking of DA cases were being organised in England & Wales (Bowen et al. 2014) and there is continued support for them despite the pressure on public services. However, it is important to point out that not all areas of England and Wales have a SDVC and some areas have seen closures due to austerity measures (Hyde 2011). The early evaluations point to the benefits SDVCs have brought for the experiences of victim/survivors pursuing a criminal justice system outcome and thus exploring the perceptions of magistrates about SDVCs is also of value.

Rationale for the research

This research was conducted to ascertain the training needs of magistrates in relation to DA, especially in relation the new crime of coercive and controlling behaviour and to look at magistrates' perceptions of risk and harm when adult couples other than heterosexual couples are involved with DA. There has been some research with different groups of practitioners in the USA that indicate unconscious bias about gender and sexuality in their responses to DA in diverse relationships. Psychology students reported that violence between women is not seen as serious as violence from a man towards a woman but the degree of seriousness was influenced by the degree to which the women survivors are understood to be 'masculine' or 'feminine' (Little & Terrance 2010); the violence of men towards men was recognised as potentially serious by police but not as serious as the violence of men towards women (Pattavina et al. 2007); and the risks of escalation were perceived as not being as high for survivors in same-sex DA scenarios as in opposite-sex scenarios by crisis (refuge) centre workers (Brown & Groscup 2009). This research also aimed to consider whether magistrates might also be subject to unconscious bias when faced with cases involving LGB and/or T people.

Method: the survey

An online survey was designed with the two members of the steering group, one of whom is a Chair and a member of the Cleveland and Durham Branch of the Magistrates Association, as well as a sitting magistrate and the other is a paid employee of the Magistrates Association. Another local magistrate was asked to take part in a pilot of the survey. The survey was sent out to 6, 848 Magistrates Association members who are both sitting magistrates and have not opted out from receiving research requests from the organisation. Members were given one reminder a month after the initial invitation to take part was sent out in October 2018. When the survey closed there were 1,351 responses, of which 1,309 were useable[2]. This gives a response rate of 19.73%.

[2] Any respondents who had completed less than 60% (n=42) of the survey were removed.

Analysis was undertaken using SPSS, a computer package specifically designed to undertake statistical analysis. Only those results that are statistically significant are used where variable analysis has taken place. There were very few statistically significant differences between the responses from men and women and therefore responses are given as both unless otherwise indicated. It is also the case that respondents did not answer every question so totals for specific questions differ throughout. All figures have been rounded up or down to the nearest whole number.

The sample

Of those responding to the questions, 457 (49%) were women, and 443 (47%) were men and 43 (5%)[3] reported as 'other' or 'prefer not to say'; 825 (95%) were heterosexual and 37 (5%) identified as lesbian, gay, bisexual, homosexual, pansexual or 'other'; 832 (90%) identified as white British with 43 (5%) identifying as British Afro Caribbean, 19 (2%) British Asian and 32 (4%) as 'other' including British African and British Chinese. Most of the respondents were in the age group 61-70 years (n=525, 57%). Only 2% (n=22) were aged between 20-39 years. Thus the sample, whilst being relatively balanced in terms of gender, reflected an aging, British white sample which is in line with the broader demographic profile of magistrates (Rees 2019). Given the age of the sample, the percentage of those identifying as LGB and/or T+ was quite high compared with the findings from the Office for National Statistics (ONS) (ONS 2019). Nobody in the sample identified as a trans woman or man. The sample also reflected a population who have longevity of service as a magistrate. The average length of time served was 13 years whilst 15% had over 20 years' service.

Court Membership and DA Training

The vast majority of respondents indicated that they sit in Criminal Courts (n=1,220, 95%) whilst just over a quarter also sit in Family Courts (n=357, 27%). The invitation to magistrates only asked for participation from magistrates who sit in adult criminal courts; and questions were asked only in relation to the adult criminal courts. Unless otherwise indicated, the data represents the responses received directly from respondents. In some questions respondents were invited to indicate more than one option which means that percentages given refer to those options rather than to the percentage answering the question.

- Only just over a third (n=457, 36%) indicated that they had had specialist DA training in the past two years and
- A further 27% (n=340) said they had received specialist DA training in the last 5 years.
- 18% (n=225) had not had any DA specialist training in the previous 2 years and
- 17% (216) had never received any specialist DA training.

[3] Percentages have been rounded up to the nearest whole number. This means that occasionally totals do not add up to 100%.

- Twenty-three respondents (2%) either did not know (n=18) or preferred not to answer the question (n=5).

A small majority (53%, n= 465) indicated that their specialist DA training included the new offence of coercive and controlling behaviour whilst:

- 37% (n=323) say that they had not received training on the new offence of coercive and controlling behaviour
- 7% (n=64) that they did not know / were unsure whether their training included coercive and controlling behaviour,
- 0.2%, (n=2) preferred not to answer
- 2% (n=17) indicated that they had not yet received training on coercive and controlling behaviour but were attending training in the near future.

Nearly a third of respondents (n= 413, 51%) indicated that they sit on a SDVC. Of these, 13% (n=52) had never received specialist DA training and 27% (n=110) said they had not had any training on coercive and controlling behaviour. All new magistrates complete initial training prior to sitting on the bench; and attend core training as well as being mentored by a specially trained magistrate mentor in the first 12-18 months of appointment.[4] The findings from this survey suggest that a significant minority of magistrates had not received any training on DA or the new crime of coercive and controlling behaviour including a small minority of magistrates who currently sit on a SDVC.[5]

The majority of respondents (79%, n= 701) had received training on DA from HM Courts and Tribunal Service (HMCTS) or in-house trainers, whilst 5% (n= 48) had received training provided by an external provider. 9% (n= 83) said they had received both kinds of training. (All training is approved by local committees of magistrates that set annual training plans for magistrates in their area (TAAACs) and funded by HMCTS). A small number (n=51, 6%) said they did not know who had provided the training.

Respondents were asked to provide feedback on the quality of the DA training they had received and whether it was sufficient. Of those who answered the question (n=834) most said the training they received had been good (60%, n= 496) and a further quarter (25%, n=207) said it was excellent. A further 11% (n=94) said it was neither good nor bad and 4% (n=29) said it was weak or very weak (n=5). Less than one percent (n=3) preferred not to answer the question.

The following feedback came from respondents reflecting the largely positive assessment made of the training they had received about DA:

> "Our bench were required to attend a day's training on DV and the morning focussed on coercive control and identifying and empathising with DV survivors, and the afternoon on how to apply sentencing in DV cases. It was a really well run day"

[4] https://www.magistrates-association.org.uk/training-magistrates

[5] As noted previously, the Judicial College have recently provided updated training on Domestic Abuse since this research was undertaken.

> "This month I attended an MA organised session on coercive and controlling behaviour, which was excellent- background plus specific information on what the CPS needs to prove"

> "The training helped to give me a greater appreciation of the issue and think differently (better) in my approach to DA in Court. In particular, its relationship with Stalking"

70% respondents disagreed that their training was sufficient in relation to coercive and controlling behaviour. In the question asking whether respondents would like further training, just over a third (33%, n=428) indicated they would like more training on DA and 43% (n=567) say they would like more training on coercive and controlling behaviour. Just over a quarter (26%, n=342) indicated they would like DA training to be more regular.

The following feedback provided a few examples where training might be found to be lacking. A couple of the themes in the 56 responses to the open questions asking for feedback on the training received by respondents were: the need for more regular refreshers, the time allocated to training seen not to be enough, sometimes the content not being relevant or repetitive, and complaints that the focus was only on women victims and not other groups. Respondents made a distinction between online and face-to-face training and favoured the latter as this provided opportunities to ask questions and get clarity about the issues. Altogether, 19 respondents asked referred to their need for more training.

> "The latest training was last week on coercive behaviour etc. I have already completed 2 training sessions on DV and abuse, and last week's session was all day but largely repeated previous courses, extremely little new was added, only the explanation of coercive behaviour. The rest of the session was a repetition of the previous 2 training events. I attended last week's as it was essential training. For essential training, it offered nothing"

> "Training for magistrates is practically non-existent and we are now expected to do e-training privately in our own time"

> "One day training, not enough time to discuss matters I was unsure of"

> "I undertook the training as a fairly new magistrate and feel that it would be beneficial again now that I have more experience"

> "Does not cover the full spectrum of potential domestic abuse (men, members of ethnic groups etc.) focus on women only"

DA Sentencing Guidelines: 75% (n=941) indicated that they had seen the recent guidelines on sentencing for DA, 14% (n= 178) said they had not seen the recent guidelines, whilst 11% (n=138) were not sure whether they had seen it.

Perceptions of SDVC

Just over half of respondents (51%, n=507) said that they had a SDVC in their area whilst a further 32% (n=313) said they did not and 17% (n=167) were not sure.

Of those indicating they had a SDVC in their area, 75% (n=413) said that they sit on a SDVC, 22% (n=121) say they did not and 4% (n=20) were not sure whether they sit on a SDVC.

Respondents were asked whether they would be interested in sitting on a SDVC in their area if one existed and 75% (n=525) say they would be interested in sitting on one. Men were significantly less interested in sitting on one than women.

For those with no SDVCs in their area there was a gender split on whether respondents thought one would benefit their area, with men statistically significantly more likely to say that it would not be a benefit (24%, n=61 compared with 15%, n=35 women).

Respondents were asked whether they had any experience of sitting on DA cases involving lesbians, gay men, bisexual women and men or trans women and men. In answer, 38% (n=375) said they had rarely (once or twice), 14% (n=137) said sometimes (2 or 3 times a year) and 48% (n=466) said they had never had such a case.

Role of IDVAs

Respondents were asked whether they were aware of Independent Domestic Violence Advocates (IDVAs). A small majority (53%, n=505) say that they were aware of them, whilst 35% (n=340) were not aware of them and 12% (n=118) were not sure whether they were aware of them. Of those who said they were not aware of IDVAs the majority were male respondents (55%, n=182).

Respondents were asked whether they thought it might be useful in their decision-making to have a report from an IDVA about the risk and seriousness of the case. An overwhelming majority (83%, n=787) said yes, whilst 5% (n=43) said no and 12% (n=118) were not sure.

Use of hate crime legislation for enhanced sentences

Respondents were asked whether, in their experience, they had seen hate crime legislation being used to secure enhanced sentencing in relation to DA offences. A large majority of those who answered this question (69%, n=661) said they had not seen this happen whilst nearly a fifth (18%, n=167) say they had and 13% (n= 128) were not sure. Those who had seen this happen were asked whether they thought this was an increasing trend to use hate crime legislation and a third of those who responded said yes (33%, n=56) whilst nearly half of those who responded (47%, n=81) were not sure and 20% (n=34) said no.

Table 1, below, indicates how many cases involving DA magistrates reported having come before them where hate crime legislation has been used to enhance sentences. The largest group (102, 51%) had seen between 2-5 cases.

Respondents were asked whether they felt adequately trained to deal with these cases and the majority (63%, n=154) said they did, 15% (n=37) said they did not and 21% (n= 52) said they were not sure.

Table 1 Indicating how many cases involving hate crime legislation to enhance sentencing had been seen

Number of Cases	Frequency (%)
1	39 (20%)
2-5	105 (51%)
6-10	16 (8%)
11-15	7(4%)
16 or over	5 (3%)
Not Sure	31 (16%)

Perceptions of risk and harm

Respondents were asked about their perception of the risk and harm that might be faced by a survivor if they were in a range of couple relationships. For each couple type, respondents were asked to indicate along a continuum from 1 (no risk/harm) through to 10 (high risk/serious harm). In our analysis we used the following categories: (1-2 = not risky/ serious, 3-5 low risk/seriousness, 6-7 medium risk/seriousness and 8-10 highest risk/most serious). Here we focus on the categories of highest risk/most serious. Table 2 provides the results focussing on the reports of the highest risk and most serious harm by respondents in different couple scenarios and with differently gendered perpetrators.

- Responses indicated that most magistrates were influenced by the public story of DA and the accompanying gendered assumptions. The majority of magistrates responding to the question perceived that the most risk and harm would be experienced by cisgender women when they were faced with violence from cisgender men.
- Regardless of the couple scenario or the gender of the perpetrator or victim, perceptions of harm were consistently higher than perceptions of risk.
- Cisgender men were consistently perceived to pose the highest risk and their violence to result in the most serious harm than any other perpetrator.

Table 2: Proportions of respondents indicating high risk and most harm according to gender identity of the perpetrator and victim/survivor.

Level of risk if violence occurs	% Recognised as high risk (n=)	Level of harm if violence occurs	% Recognised as most seriously harmful (n=)
Cisgender man towards cisgender woman	**76% (517/932)**	Cisgender man towards a cisgender woman	**81% (786)**
Cisgender man towards cisgender man	**56% (517/932)**	Cisgender man towards a cisgender man	**73% (704/966)**
Cisgender man towards trans man	**56% (547/978)**	Cisgender man towards trans man	**68% (658/964)**
Cisgender man towards trans woman	**56% (540/970)**	Cisgender man towards trans woman	**67% (646/960)**
Cisgender woman towards cisgender woman	**47% (436/935)**	Cisgender woman towards cisgender man	**67% (646/966)**
Cisgender woman towards cisgender man	**45% (441/479)**	Cisgender woman towards cisgender woman	**65% (n=621)**
Trans man towards a cisgender woman	**43% (418/977)**	Trans man towards a cisgender woman	**62% (599/962)**
Trans man towards a cisgender man	**42% (411/973)**	Trans man towards a cisgender man	**62% (599/962)**
Trans woman towards a cisgender woman	**42% (412/975)**	Trans woman towards a cisgender woman	**61% (589/962)**
Cisgender woman towards trans woman	**39% (378/973)**	Trans woman towards a cisgender man	**60% (576/959)**
Trans woman towards a cisgender man	**39% (377/974)**	Cisgender woman towards a trans woman	**60% (574/962)**
Cisgender woman towards a trans man	**38% (374/977)**	Cisgender woman towards a trans man	**59% (571/962)**

- The hierarchy of risk and harm was consistent across the couple scenarios
- Both cisgender and trans women were perceived as posing the least risk and harm compared to cisgender or trans men.

Lack of Knowledge

Respondents were also able to indicate that they 'Don't know' what risk or harm was presented in each couple scenario. Table 3 indicates the difference in the proportion of those indicating that they did not know when a trans perpetrator or victim/survivor was involved in the couple scenario.

- The hierarchy of knowledge was consistent across perceptions of risk and harm.
- Proportions of those indicating that they 'don't know' in relation to perceptions of risk or harm when perpetrators and victims were cisgender hovered at levels between 7 -12% for perceptions or harm and 9-11% in relation to harm.
- When a trans woman or man was the perpetrator or victim/survivor in the couple scenario the proportions of those indicating they 'don't know' what levels of risk or harm might be involved increased to between 19% in relation to harm and 26% in relation to risk.

Table 3: Proportions reporting 'Don't know' about levels of risk and harm in couple scenarios

Level of risk if violence occurs	% Don't know (n=)	Level of harm if violence occurs	% Don't know (n=)
Cisgender man towards cisgender woman	**7% (69/934)**	**C**isgender man towards a cisgender woman	**11% (78/696)**
Cisgender woman towards cisgender man	**7% (65/979)**	Cisgender woman towards cisgender woman	**11% (105/962)**
Cisgender man towards cisgender man	**12% (112/932)**	**C**isgender man towards a cisgender man	**11% (106/966)**
Cisgender woman towards cisgender woman	**12% (111/935)**	**C**isgender woman towards cisgender man	**9% (82/966)**
Cisgender man towards trans man	**23% (227/978)**	**C**isgender man towards trans man	**19% (186/964)**
Cisgender man towards trans woman	**23% (225/970)**	**C**isgender man towards trans woman	**19% (179/960)**
Trans man towards a cisgender man	**25% (244/973)**	Trans man towards a cisgender man	**19% (185/962)**
Trans woman towards a cisgender woman	**25% (244/975)**	Trans woman towards a cisgender woman	**19% (187/962)**
Cisgender woman towards trans woman	**25% (241/973)**	Trans woman towards a cisgender man	**19% (182/959)**
Trans woman towards a cisgender man	**25% (247/974)**	Cisgender woman towards a trans woman	**19% (186/962)**
Cisgender woman towards a trans man	**25% (244/977)**	**C**isgender woman towards a trans man	**19% (187/962)**
Trans man towards a cisgender woman	**26% (250/977)**	Trans man towards a cisgender woman	**19% (183/962)**

Recommendations[6]

The response rate for this survey is nearly 20% which is reasonably good for a survey of this kind given the many requests magistrates receive to take part in research and/or to provide feedback to a range of public bodies; as well as the range of activities magistrates might be involved with alongside their magistrates' role.

- A system should be introduced to ensure that all magistrates who sit on a SDVC have completed specialist DA training, including on coercive and controlling behaviour. Those found not to have completed any training on DA/coercive and controlling behaviour should be ineligible to sit on a SDVC.
- Given that the just over half of respondents had seen at least on domestic abuse case involving couples who were LGB and/or T, training should include DA in relationships where partners are LGB and/or T.
    - There is a particular need for training about trans lives and DA to be made available to enable magistrates to improve their confidence and skills in perceptions of risk and harm where trans people are involved.
    - The public story of DA should be challenged in training so that risk and harm are not only perceived as being primarily present in heterosexual relationships when cisgender men are the perpetrators.
    - The use of hate crime legislation to enhance sentencing might also be included in training as a sentencing option.

SDVCs: There is evidence that respondents believed SDVCs were of benefit in responding to DA; and evidence that magistrates were interested in sitting on SDVCs. Those areas where there are no SDVCs should consider introducing them and where there is not a dedicated SDVC, a local protocol should be put in place to list cases that involve allegations of DA together, with at least one magistrate with specialised DA training sitting on the bench for that list. This should be in addition to all magistrates having basic training on DA.

IDVAs: The findings reinforce findings from elsewhere about the important role IDVAs can have in SDVCs and suggest that where SDVCs are not available, IDVAs might still have a role in providing information to facilitate magistrates' decision-making.

[6] These recommendations arose directly from the research and do not necessarily represent agreed policy of the Magistrates Association.

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